

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. At the time of the outstanding Office Action, claims 1-18 were pending. Claims 19-42 had been previously withdrawn. Claim 1 has been amended. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

**Prior Art Rejections:**

Claims 1-8, 11-15 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,503,831 to Speakman (hereinafter "Speakman") in view of U.S. Patent 5,235,187 to Arney et al. (hereinafter "Arney"). Claims 9 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Speakman in view of Arney and further in view of U.S. Patent 6,617,657 to Yao et al. (hereinafter "Yao"). Claims 16 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Speakman in view of Arney and further in view of U.S. Patent 6,587,408 to Jacobson et al. (hereinafter "Jacobson"). These rejections are traversed for at least the following reasons.

Independent claim 1 recites a method of making a microelectromechanical system device, including the steps (in order) of "releasing a micromover component," "coating the micromover component with a first self-aligned film after releasing the micromover component," and "affixing contact probes to the device after coating the micromover component." Thus, the invention as claimed forms a MEMS device by releasing and coating a micromover component of the device before affixing the contact probes to it. (paragraph 0018, lines 3-4; paragraph 0019, lines 1-2; and paragraph 0025, lines 2-4 of the specification as filed). Because the formation of the MEMS device is carried out this way, with the film deposited after the flexure release, the method does not require the use or removal of a sacrificial layer, or the associated damage. (paragraph 0010, lines 5-7 of the specification as filed).

Claims 1-8, 11-15 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Speakman in view of Arney.

The Examiner correctly asserts that Speakman fails to teach the entire method of the invention as claimed, specifically failing to teach “coating the micromover component after releasing the micromover component.” (page 3, lines 5-6 of the final Office Action). Applicants would also like to note that Speakman correspondingly fails to teach the feature of “affixing contact probes to the device after coating the micromover component.” The Examiner points to Fig. 20 of Speakman to teach coating the micromover, specifically referring to depositing a piezoelectric thin film on the cantilever 1302. (column 44, lines 23-29). However, there is no teaching or suggestion in Speakman that contact probes are affixed only AFTER depositing the thin film on the cantilever. Thus, Speakman fails to teach both “coating the micromover component after releasing the micromover component” and “affixing contact probes to the device after coating the micromover component.”

Arney fails to make up for the deficiencies of Speakman as detailed above. The Examiner relies on Arney to teach the feature of “coating the micromover component after releasing the micromover component.” Specifically, the Examiner relies on Arney’s teaching of coating one or more surfaces of the beam 24 for motion or motion detection. (column 12, lines 12-20). However, the tips (contact probes) of Arney are already part of the device at the time of coating. There is no teaching or suggestion in Arney that the tips are affixed to the device AFTER coating the micromover component. Rather, as shown by Figure 1 and the corresponding text, the tips 12 and 22 have already been produced and are part of the device. Thus, Arney also fails to teach “affixing contact probes to the device after coating the micromover component.”

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole. As mentioned above, Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

Claims 9 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Speakman in view of Arney and further in view of Yao.

Yao fails to make up for the deficiencies of Speakman and Arney as detailed above. Yao is directed towards a fabrication process for making (MEM) devices such as cantilever supported beams using only two lithographic masking steps. (Abstract) There is no teaching or suggestion in Yao of “coating the micromover component after releasing the micromover component” and “affixing contact probes to the device after coating the micromover component.” Thus, if this rejection is maintained, the Examiner is respectfully requested to point out where these features would be found in Speakman, Arney, Yao or any combination thereof.

Claims 16 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Speakman in view of Arney and further in view of Jacobson. Jacobson fails to make up for the deficiencies of Speakman and Arney as detailed above. Jacobson is directed towards micron-scale, self-contained, ultra-high density and ultra-high speed storage devices that include a read/write head and a surface, wherein the read/write head may consist of one or more heads that are mounted on MEMS. (Abstract) There is no teaching or suggestion in Jacobson of “coating the micromover component after releasing the micromover component.” Thus, if this rejection is maintained, the Examiner is respectfully requested to point out where these features would be found in Speakman, Arney, Jacobson or any combination thereof.

**Conclusion:**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.


*At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to*

*37 C.F.R. § 1.25. Additionally, charge any fees to Deposit Account 08-2025 under 37 C.F.R. § 1.16 through § 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.*

Respectfully submitted,

Date 4/18/08

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